

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES

CRIMINAL ACTION

v.

ANDRE HENRY

NO. 06-33-01

ORDER

AND NOW, this 19th day of May, 2020, upon consideration of defendant Andre Henry's *pro se* Motion to Correct Sentence Under 28 U.S.C. § 2255 (Document No. 874, filed April 2, 2020), the Government's Response to Motion to Correct Sentence Under 28 U.S.C. § 2255 (Document No. 876, filed April 29, 2020), for the reasons stated in the accompanying Memorandum dated May 19, 2020, **IT IS ORDERED** that defendant's Motion to Correct Sentence Under 28 U.S.C. § 2255 is **DENIED** and **DISMISSED**.

IT IS FURTHER ORDERED that a certificate of appealability will not issue because reasonable jurists would not debate whether the petition states a valid claim of the denial of a constitutional right or the propriety of this Court's procedural ruling with respect to petitioner's claims. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

IT IS FURTHER ORDERED that the Clerk of Court shall **MARK** the case **CLOSED**.

BY THE COURT:

/s/ Hon. Jan E. DuBois

DuBOIS, JAN E., J.